

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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| JOSHUA GUISINGER, | : | |
| | : | |
| Plaintiff, | : | |
| | : | Civil Action No.: 2:17-cv-285 |
| | : | |
| vs. | : | JUDGE SMITH |
| | : | |
| | : | MAGISTRATE JUDGE JOLSON |
| E.A. TOW TRANSPORT, INC. <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | <u>RULE 26(f) REPORT OF THE PARTIES</u> |
| | : | |

1. Pursuant to F.R. Civ.P. 26(f), a meeting was held on June 28, 2017 and was attended by:

Carrie J. Dyer, Esq., Mansell Law, LLC – Counsel for Plaintiff

Timothy J. Owens, Esq., Owens Law, LLC – Counsel for Defendants

2. Consent to Magistrate Judge. The parties:

Do Not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. 636 (c).

3. Initial Disclosures. The parties:

Will exchange such disclosures by August 2, 2017.

4. Jurisdiction and Venue

a. Describe any contested issues relating to: (1) subject matter jurisdiction, (2) personal jurisdiction and/or (3) venue:

None.

b. Describe the discovery, if any, that will be necessary to the resolution of issues relating to jurisdiction and venue:

N/A.

c. Recommended date for filing motions addressing jurisdiction and/or venue:

N/A.

5. Amendments to Pleading and/or Joinder of Parties

a. Recommended date for filing motion/stipulation to amend the pleadings or to add additional parties:

September 20, 2017

b. If class action, recommended date for filing motion to certify the class:

N/A

6. Recommended Discovery Plan

a. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party will need:

The Parties will conduct both written discovery and depositions related to all claims, counterclaims, and defenses in this action. The Parties agree to conduct discovery in the most efficient way possible.

b. What changes should be made, if any, in the limitations on discovery imposed by the Federal Rules of Civil Procedure or the local rules of this Court?

The Parties agree that no changes should be made at this time; however, the Parties agree to modify discovery rules, as appropriate.

c. The case presents the following issues relating to disclosure or discovery of electronically stored information, including the form or forms in which it should be produced:

No issues are anticipated.

d. The case presents the following issues relating to claims of privilege or of protection as trial preparation materials:

The parties anticipate formalizing an agreement related to the production of privilege information, including clawback language.

i. Have the parties agreed on a procedure to assert such claims AFTER production?

Not at this time.

e. Identify the discovery, if any, that can be deferred pending settlement discussion and/or resolution of potentially dispositive motions:

None.

f. The parties recommend that discovery should proceed in phases, as follows:

None.

g. Describe the areas in which expert testimony is expected and indicate whether each expert will be specially retained within the meaning of F.R.Civ.P.26(a)(2):

The Parties do not anticipate the need for expert testimony. However, the Parties will set dates, should the need for expert testimony arise.

i. Recommended date for making primary expert designations:

30 days after ruling on dispositive motions

ii. Recommended date for making rebuttal expert designations:

60 days after ruling on dispositive motions

h. Recommended discovery completion date: January 26, 2018

7. Dispositive Motion(s)

a. Recommended date for filing dispositive motions: March 1, 2018

8. Settlement Discussions

a. Has a settlement demand been made? No. **A response?** No.

b. Date by which a settlement demand can be made: _____

c. Date by which a response can be made: _____

9. Settlement Week Referral

The earliest Settlement Week referral reasonably likely to be productive is the September 2017 Settlement Week.

10. Other matters for the attention of the Court: None

Respectfully submitted,

/s/ Carrie J. Dyer
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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2017, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's ECF system.

/s/ Carrie J. Dyer
Carrie J. Dyer (0090539)